

**MINUTES OF THE REGULAR PLANNING BOARD MEETING
MONDAY, JULY 28, 2008
COUNCIL CHAMBERS, CITY HALL
2263 SANTA CLARA AVENUE – 7:00 PM**

President Kohlstrand called the meeting to order at 7:04 p.m.

FLAG SALUTE: Board member Autorino

ROLL CALL:
PRESENT: President Kohlstrand, Vice-President Ezzy Ashcraft, Board members Autorino, Cook, Lynch, and McNamara.

ABSENT: Board member Cunningham

STAFF PRESENT: Jon Biggs, Planning Services Manager/Secretary to the Planning Board; Assistant City Attorney Farimah Faiz, Cynthia Eliason, Planner III; Althea J. Carter, Executive Assistant/Recording Secretary. Also in attendance, Dyana Anderly, Consultant.

MINUTES:

Minutes for the meeting of June 23, 2008.

Motion (Ezzy Ashcraft)/Second (Cook) to approve as amended.

Ayes: 4; Noes: 0; Abstain: 2 (Lynch, McNamara). Motion passed.

Minutes for the meeting of July 14, 2008 - pending.

5. AGENDA CHANGES AND DISCUSSION:
None

6. STAFF COMMUNICATIONS:

6-A. Future Agendas

Staff provided an update on future agenda items.

6-B. Zoning Administrator Report

Staff provided the Zoning Administrator report. Vice President Ezzy Ashcraft requested that in the future staff provide the Board with any conditions of approval related to the Zoning Administrator meeting.

The public hearing was opened.

Eugenie Thompson requested postponement of the Alameda Towne Centre agenda item from the Planning Board meeting of August 11, 2008 to the meeting of August 24, 2008. She also inquired whether the public hearing would be reopened and if public notices would be sent out.

The public hearing was closed.

President Kohlstrand stated the public hearing for Alameda Towne Centre would be reopened at the next hearing and re-noticing would include those who commented on the EIR. The item would be heard on August 11, 2008. Interested parties who could not attend this meeting were encouraged to submit written comments prior to the meeting.

7. ORAL COMMUNICATIONS:

- * Anyone may address the Board on a topic not on the agenda under this item by submitting a speaker's information slip, subject to the 5-minute time limit.

The public hearing was opened.

David Howard addressed the Board regarding his opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High. He also submitted written comments.

Erik Miller spoke in opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High. He believes affordable units should not be clustered together but integrated into "market rate" developments.

Joseph Yon spoke in opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High. He believes a 36-unit development would be incompatible with the neighborhood, that parking would be an issue, that concentration of affordable units at one site is discriminatory, and the proposed units are rentals, not for-sale homes, which would generate pride of ownership. He does not believe the proposal is consistent with the City's Housing Element.

In response to a question from the Board, staff clarified the Board's previous decision regarding the affordable housing units at Grand Marina, approving moving some but not all of the required units off-site. The Island High site would contain at least nine and up to 18 units.

The Board clarified that the proposal being commented on is not the project that was previously approved by the Board.

Janice Miles spoke in opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High.

Brian Kernan spoke in opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High. He would support home ownership but believes even nine units is too many at the site.

Melanie Wartenberg spoke in opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High.

Andy Olveda spoke in opposition to the proposed Grand Marina transfer of 36 affordable housing units off-site to Island High.

Christopher Buckley spoke in opposition to the Grand Marina proposal locating 36 units in an historic neighborhood.

Tom Antholzer spoke in opposition to 36 units being located at the Island High site.

Nanette Burdick spoke in opposition to a 36-unit high density project on the Island High site.

The public hearing was closed.

President Kohlstrand reiterated that the Board did not approve a 36-unit project but did vote to allow the transfer of up to five housing units to the Island High site with the potential for another four units for a total of nine units. She asked staff to provide the Board with a briefing on this item at the next Board meeting.

8. CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Board or a member of the public by submitting a speaker slip for that item.

There were n items on the Consent Calendar/

9. REGULAR AGENDA ITEMS:

- 9-A. Public Workshop to Gather Community Input and Share Ideas About the Future Development of Housing in Alameda.** Housing issues workshop for a discussion on an update to the Housing Element of the General Plan, Density Bonus regulations, and Secondary Housing Unit regulations. The purpose of this workshop is to obtain comments and feedback from the community on these important housing issues.

Staff presented an update on the Housing Element, a report on density bonus regulations, and a report on secondary housing unit regulations.

Staff advised the Board that the previous Housing Element was adopted in 2003 and spans five years. The current proposed Housing Element covers the period from 2007 to 2014 due to delays by the State. Staff has gone through the regional housing need process and Alameda has been allocated 2,046 units. This number takes into consideration housing development at Alameda Point. It was noted that staff is proposing modest modifications to the Housing Element, and that there would be additional opportunities in the future for the Board to review and comment on the completed proposal. Adoption of the Housing Element is anticipated to occur in May 2009. The primary focus of the Housing Element is to identify and prepare an analysis of adequate sites. The current need in Alameda is for very-low, low, and moderate housing. There are new State housing requirements, including the need to provide homeless and extremely low income housing and zoning land to densities of at least 30 acres. The Housing Element will be submitted to the State for review. As a result of delays in development at Alameda Point the Housing Element is not currently in compliance with State law, therefore it has been conditionally certified by the State. The current Element may not meet State regulations, but the intent is to meet the needs of Alameda.

A discussion ensued between the Board and staff on the effect of new State regulations on the Housing Element.

Staff presented a report on affordable housing and density bonus regulations. The State provides incentives to encourage developers to build affordable housing. Projects that would be eligible for a density bonus include affordable housing, senior housing, land donated for affordable units, condominium conversions and childcare facilities. Staff discussed density bonus allocations for each type of eligible project, development concessions, and incentives. Under State regulations a density bonus must be granted to a qualified development, but concessions or incentives are identified by the jurisdiction – with the exception of a reduction in parking.

Staff presented a report on secondary units. Current City regulations require a use permit for secondary housing. Under State regulations, upon meeting certain criteria, secondary housing units could be approved at the staff level. Staff stated that without an ordinance in compliance with State law, the State's secondary housing unit regulations would prevail. Staff requested public and Board feedback, input, and comments to further refine the ordinances and begin the process of preparing the ordinances for adoption by the City Council.

The public hearing was opened.

David Howard commented that implementation of the various plans could be achieved without land use exemptions.

Christopher Buckley commented that he would prefer restrictive density bonus and secondary unit ordinances. He provided written comments to the Board.

Eve Bach addressed the link between the Housing Element, density bonus, and secondary units.

The public hearing was closed for Board discussion.

A discussion ensued between the Board, the consultant, and staff regarding the process and focus for review.

In response to an inquiry by the Board, staff stated that during discussions with the Association of Bay Area Governments (ABAG), it was communicated that the timeline for developing housing at Alameda Point was not within the City's control. During the prior Housing Element update, the City appealed the number of units that were allocated by ABAG, but the appeal was denied. The State Department of Housing and Community Development is responsible for certifying the City's Housing Element and determining whether the City is in compliance. Information presented at the Housing Element forum will become part of the Housing Element. A non-compliant Housing Element affects the City's ability to apply for State housing and transportation funds.

A discussion ensued between the Board and staff regarding options for fulfilling the City's housing requirements. Dyana Anderly advised the Board that State regulations are specific and specify that a project with five or more units shall be granted a density bonus.

The Board agreed that an allowance for multi-unit structures should be considered as an incentive.

The Board considered the following regarding additional concessions or incentives:

- Consider increased building height = no
- Consider reduced street standards = no
- Consider on street parking = no
- Consider elimination of landscaping on local streets = no
- Consider elimination of common open space requirements for dwelling units located within ¼ mile of parks = yes
- Consider elimination of private open space requirements = yes
- Consider reduced minimum lot setbacks = yes
- Consider reduced minimum building separation requirements = yes, from 20ft to 15 ft.
- Consider reduction in the curb return radius = yes
- Consider priority processing = yes
- Consider approval of mixed use zoning in conjunction w/the Residential Dev = no
- Consider drafting the Density Bonus ordinance in a manner that provides incentives for housing on upper commercial buildings in the Park St and Webster St districts = yes

Consider encouraging work-live units when developed in conjunction w/the preservation of a historic resource = yes
Consider lowering the existing required percentage of inclusionary units = possibly
Consider lowering affordability timeline for inclusionary housing from 55 years to the state requirement of 30 years = yes

A Board discussion ensued regarding whether design review is applicable within the second unit ordinance.

A Board discussion ensued regarding the Second Unit Ordinance and the Board considered the following elements of the ordinance:

Consider that one unit be owner occupied = yes
Consider all setback, height, and lot coverage should be the same as the zone district for the site = yes
Consider minimizing visual impacts or appearance of a second unit by having entry doors not visible from the street = no
Consider whether heritage trees should be removed to accommodate a second unit = yes
Consider the design of the second unit for consistency with that of the primary residence = yes
Consider allowing second units in all residential areas that permit single-family dwellings = more information requested including examples.

A Board discussion about parking requirements for second units ensued.

Vice President Ezzy Ashcraft moved and Board member Cook seconded the motion to extend the meeting to 11:30 p.m. The motion passed with the following voice vote – 6. Noes: 0. Absent: 1. Abstain: 0.

The Board discussion regarding parking requirements continued and considered the following:

Consider requiring one parking space for a second unit = requested staff to provide alternatives.
Consider if parking should be counted for second units when that primary space is in the driveway = requested staff to provide alternatives.
A discussion between the Board, staff, and Ms. Anderly ensued regarding options for parking and second units.
Consider attached units must be at least 350 sf and no more than 600 sf, but in no case more than fifty percent of the area of the primary dwelling = yes.

A discussion ensued between the Board and staff regarding the Housing Element schedule.

The Board did not take formal action, but requested that staff develop ordinance drafts based on Board comments and bring them back for consideration by the Board, to assist them in developing a recommendation to the City Council.

10. WRITTEN COMMUNICATIONS:

None.

11. BOARD COMMUNICATIONS:

Board members may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, the Board may provide a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning a City matter or, through the chair, direct staff to place a request to agendize a matter of business on a future agenda.

Vice President Ezzy Ashcraft announced that on July 30, 2008, there will be a ceremony at Peet's Coffee and Tea acknowledging the Gold LEED certification the facility has been awarded. On August 1, 2008 a bicycle plan update ride will take place beginning in front of City Hall.

12. ADJOURNMENT: 11:32 p.m.

Respectfully submitted,

Jon Biggs, Secretary
City Planning Board

This meeting was audio and video taped.